

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, August 20, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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NEW CASES

- V-04-181** Application of **Newport Investment Group, LLC** for 1) a variance from the zoning regulations to reduce the front yard setback from the required 40 feet to 10 feet, for construction of a restaurant, and 2) a special exception to reduce the required parking from 274 spaces to 248 spaces, for construction of a restaurant. Property is located at **972-1022 W. MARIETTA STREET, N.W.**, and fronts 604.3 feet on the south side of Marietta Street, beginning 1,210.3 feet northwest of the northwest intersection of Marietta Street and Northside Drive. Zoned I-1C and I-2 (pending I-1 rezoning). Land Lot 112 of the 14th District, Fulton County, Georgia.
Owner: Newport Investment Group, LLC
Council District 3, NPU-E
- V-04-182** Application of **Daniel Betsill** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 3 feet for a second story addition to an existing duplex. Property is located at **899 CHARLES ALLEN DRIVE, N.E.**, and fronts 50 feet on the east side of Charles Allen Drive, beginning 50 feet south of the southeast corner of Charles Allen Drive and Eighth Street. Zoned R-5 (Two-Family Residential) District. Land Lot 48 of the 14th District, Fulton County, Georgia.
Owner: Bill Hildebrandt
Council District 6, NPU-E
- V-04-183** Application of **Leon E. Jackson, Jr.** for variances from the zoning regulations to 1) reduce the west side yard setback from the required 7 feet to zero feet and 2) reduce the east side yard setback from the required 7 feet to zero feet for an existing deck, and 3) a special exception from the zoning regulations to allow an increase in the height of an existing privacy fence from the required 6 feet to 10 feet. Property is located at **566 E. WESLEY ROAD, N.E.**, and fronts 110 feet on the west side of E. Wesley Road, beginning at the southwest intersection of E. Wesley Road and Alpine Road. Zoned R-4 (Single-Family Residential) District. Land Lot 60 of the 17th District, Fulton County, Georgia.
Owner: Leon E. Jackson, Jr.
Council District 7, NPU-B
- V-04-184** Appeal of **James E. Schneider** of a decision of an "Administrative Official" (i.e., a staff person) of the Bureau of Planning regarding approval of a subdivision replat of property located at **923 and 925 RICE PLACE and 1199 FOSTER PLACE, N.W.**, and fronts 90 feet on the east side of Rice Street and 200 feet on the north side of Foster Place, beginning at the northeast corner of Rice Street and Foster Place. Zoned R-4A (Single-Family Residential) District. Land Lot 189 of the 17th District, Fulton County, Georgia.
Owner: Colquitt Construction
Council District 3, NPU-K

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- V-04-185** Application of **Joanne Green & Craig Zimrig** for a variance from the zoning regulations to reduce the east side yard setbacks from the required 7 feet to 4 feet, for a second story addition (i.e., attic finish with dormer addition). Property is located at **1148 REEDER CIRCLE, N.E.**, and fronts 60 feet on the north side of Reeder Circle, beginning 430 feet east of the northeast intersection of Reeder Circle and N. Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owners: Joanne Green & Craig Zimring
Council District 6, NPU-F
- V-04-186** Application of **Christian A. McClure** for a variance from the zoning regulations to reduce the side yard setback from the required 10 feet to 6 feet, for a second story addition to a single-family, detached house. Property is located at **737 WOODWARD WAY, N.W.**, and fronts 75.70 feet on the east side of Woodward Way, beginning 940 feet from the southeast corner of Woodward Way and Peachtree Battle Avenue. Zoned R-3A (Single-Family Residential) District. Land Lot 155 of the 17th District, Fulton County, Georgia.
Owner: Katherine B. McClure
Council District 8, NPU-C
- V-04-187** Appeal of **Thomas Concrete of Georgia, Inc. by Dillard & Galloway, LLC** of a decision of an Administrative Official (i.e., staff person) of the Bureau of Buildings that a concrete mixing facility is not a permitted use in the I-1 (Light Industrial) District. Property is located at **740 LAMBERT DRIVE, N.E. (a.k.a. 700, 736 & 738 LAMBERT DRIVE)**, and fronts 333 feet on the north side of Lambert Drive, beginning at the northeast corner of Lambert Drive and the exit ramp of I-75/85. Zoned I-1 (Light Industrial) District. Land Lot 49 of the 17th District, Fulton County, Georgia.
Owner: Metalico Evans
Council District 6, NPU-F
- V-04-188** Application of **Richard & Cheryl Peters** for a special exception from the zoning regulations to construct a 7-foot high entry gate with 8-foot high walls and columns (consisting of 6-foot high column structures with 2-foot high lights on top) in the front yard setback where otherwise only a 4-foot high open fence would be permitted. Property is located at **3785 PACES FERRY ROAD, N.W.**, and fronts 200 feet on the north side of Paces Ferry Road, beginning 983.01 feet from the northeast corner of Paces Ferry Road and Paran Ridge Road. Zoned R-1 (Single-Family Residential) District. Land Lot 216 of the 17th District, Fulton County, Georgia.
Owners: Richard & Cheryl Peters
Council District 8, NPU-A

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- V-04-189** Application of **Palmer & Holly Proctor** for a special exception from the zoning regulations to construct a 10-foot high wall in the required front yards of a double-fronted lot, where up to a 4-foot high open fence would otherwise be permitted. Property is comprised of three lots located at **900, 915, & 916 CLUB STATION DRIVE, N.E.**, and fronts a total of 169 feet on the west side of the cul-de-sac bulb of Club Station Drive and a total of 575.4 feet on the east side of Peachtree Dunwoody Road, beginning 354.8 feet west of the southwest corner of Club Station Drive and Club Drive. Zoned R-3 (Single-Family Residential) District. Land Lots 12 & 42 of the 17th District, Fulton County, Georgia.
Owners: Palmer & Holly Proctor
Council District 7, NPU-B
- V-04-190** Application of **Owen B. Hardy, Jr.** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 4 feet, 2) increase the height of an accessory structure from the maximum allowed of 20 feet to 22.5 feet, and 3) increase the size of an accessory structure from the maximum allowed of 30% of that of the main structure, to 39%. Property is located at **176 PEACHTREE WAY, N.E.**, and fronts 63 feet on the north side of Peachtree Way, beginning 412.8 feet east of the northeast corner of Peachtree Way and Peachtree Road. Zoned R-4 (Single-Family Residential) District. Land Lot 101 of the 17th District, Fulton County, Georgia.
Owner: Owen B. Hardy, Jr.
Council District 7, NPU-B
- V-04-191** Application of **William Simmons** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 2 feet, for construction of a guest house, patio, koi pond, and privacy wall with overhead trellis. Property is located at **1155 MONROE DRIVE, N.E.**, and fronts 50 feet on the east side of Monroe Drive, beginning 179.3 feet north of the northeast intersection of Monroe Drive and Park Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 53 of the 17th District, Fulton County, Georgia.
Owner: Waverly Battaglia
Council District 6, NPU-F
- V-04-192** Application of **Timothy E. Ward** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 4.3 feet for construction of a second story addition to a single-family, detached house, 2) reduce the west side yard setback from the required 7 feet to 2.5 feet and 3) reduce the rear yard setback from the required 15 feet to 1 foot for construction of a detached garage, and 4) increase the lot coverage from the maximum allowed of 50% to 54%. Property is located at **1183 REEDER CIRCLE, N.E.**, and fronts 60 feet on the south side of Reeder Circle, beginning 60 feet west of the southwest corner of Reeder Circle and Bonnie Lane. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Sean Hutcheson
Council District 6, NPU-F

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- V-04-193** Application of **James F. Scott** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 15 feet to 7 feet, 2) increase the lot coverage from the maximum allowed of 50% to 73%, 3) increase the total floor area of an accessory structure from the maximum allowed of 30% to 32%, and 4) increase the lot coverage of the rear yard from the maximum allowed of 25% to 43%. Property is located at **1053 VANCE AVENUE, N.E.**, and fronts 40 feet on the east side of Vance Avenue, beginning 105 feet south of the southeast corner of Vance Avenue and Los Angeles Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 1 of the 17th District, Fulton County, Georgia.
Owner: James F. Scott
Council District 6, NPU-F
- V-04-194** Application of the **Historic District Development Corp. (HDDC)** for a variance from the zoning regulations to reduce the front yard setback from the required 30 feet to 20 feet, to allow for the construction of a single-family, detached house. Property is located at **27 DANIEL STREET, N.E.**, and fronts 48 feet on the west side of Daniel Street, beginning 213 feet south of the southwest corner of Edgewood Avenue and Daniel Street. Zoned R-5 (Two-Family Residential) District. Land Lot 45 of the 14th District, Fulton County, Georgia.
Owner: HDDC
Council District 2, NPU-M
- V-04-195** Application of **Chip Rahn** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 2 feet, to allow for a garage addition at the rear of an existing single-family, detached house. Property is located at **43 PARK CIRCLE, N.E.**, and fronts 50 feet on the west side of Park Circle, beginning 200 feet from the northwest corner of Park Circle and Martina Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 46 of the 17th District, Fulton County, Georgia.
Owner: Madeline Padgett
Council District 7, NPU-B
- V-04-196** Application of **Bob Landers** for variances from the zoning regulations to 1) allow a 7-foot high fence in the front and half-depth front yard setbacks where up to a 4-foot high fence is otherwise allowed, and 2) allow a sign on top of an existing 8-foot high wall, which would elevate a free-standing sign (to be erected at 1,000 Harwell Road) to 20 feet in height where such signs are otherwise allowed up to 10 feet in height. Property is located at **1000, 1011, & 1021 HARWELL ROAD, N.W.** Zoned RG-3 (Residential General – Sector 3) District.
Owner: Dogwood Partners, L.P.
Council District 9, NPU-I

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DEFERRED CASES

- V-04-123** Application of **Edrick Harris** for a special exception from the zoning regulations to reduce the required on-site parking from 90 to 58 spaces for construction of a seniors' residence. Property is located at **217 THIRKELD AVE., S.W.**, and fronts 200 feet on the north side of Thirkeld Avenue, beginning at the northwest corner of Thirkeld Avenue and Moury Avenue. Zoned C-1-C (Community Business) District. Land Lots 72 & 73 of the 14th District, Fulton County, Georgia.
Owner: Carver Redevelopment, LLC
Council District 1, NPU-Y
- V-04-128** Application of **Jerrell V. Solomon** for a special exception from the zoning regulations to allow for an increase in square footage of a legal, non-conforming quadraplex, to allow for an attic addition. Property is located at **341 NEWPORT STREET, N.W.**, and fronts 35 feet on the east side of Newport Street, beginning 135 feet north of the northeast corner of Newport Street and Simpson Street. Zoned R-5 (Two-Family Residential) District. Land Lot 111 of the 14th District, Fulton County, Georgia.
Owner: Jarrell V. Solomon
Council District 3, NPU-L
- V-04-131** Application of **William K. Wilson** for variances from the zoning regulations to 1) reduce the required total open space from the required minimum of 70% to 48.5% and 2) reduce the usable open space from the required minimum of 40% to 20.2%. Property is located at **16 ORMOND STREET, S.W.**, and fronts 50 feet on the south side of Ormond Street, beginning 90 feet west of the southwest corner of Ormond Street and Capitol Avenue. Zoned RG-3 (Residential General-Sector 3) District. Land Lot 75 of the 14th District, Fulton County, Georgia.
Owner: PRC/Enterprise Properties, LLC
Council District 1, NPU-V
- V-04-139** Application of **Pamela Grimes** for a variance from the zoning regulations to increase the total floor area of an accessory structure (i.e., a detached garage) from the maximum allowed of 30% to 58%, for construction of an addition to the detached garage. Property is located at **165 RIDGELAND WAY, N.E.**, and fronts 50 feet on the south side of Ridgeland Way, beginning 50 feet west of the southwest corner of Ridgeland Way and Shenandoah Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 102 of the 17th District, Fulton County, Georgia.
Owner: Lee Campbell King
Council District 7, NPU-B

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- V-04-151** Application of **Charles Petrakopoulos** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 2 feet, 2) reduce the west side yard setback from the required 7 feet to 2 feet, and 3) reduce the front yard setback from the required 30 feet to 12 feet, for reconstruction and expansion of a two-story, single-family, detached house. Property is located at **230 SAMPSON STREET, N.E.**, and fronts 22 feet on the west side of Sampson Street, beginning 285 feet south of the southwest corner of Sampson Street and Highland Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 19 of the 14th District, Fulton County, Georgia.
Owner: Charles Petrakopoulos
Council District 2, NPU-M